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Selasa
23 April 2019



MALAYSIA

LAPORAN PROSIDING

MESYUARAT JAWATANKUASA KIRA-KIRA WANG NEGARA (PAC)

Mengenai:

Transaksi Tanah Milik Dewan Bandaraya Kuala Lumpur

Jabatan Peguam Negara:

- i) YBhg. Tuan Tommy Thomas, Peguam Negara
Malaysia

**PARLIMEN KEEMPAT BELAS
PENGKAL KEDUA**

**MESYUARAT JAWATANKUASA KIRA-KIRA WANG NEGARA
BILIK MESYUARAT JAWATANKUASA 1, TINGKAT 2 BLOK UTAMA
BANGUNAN PARLIMEN, PARLIMEN MALAYSIA
SELASA, 23 APRIL 2019**

AHLI-AHLI JAWATANKUASA

Hadir

YB. Dato' Dr. Noraini Ahmad [Parit Sulong]	- <i>Pengerusi</i>
YB. Tuan Wong Kah Woh [Ipoh Timur]	- <i>Timbalan Pengerusi</i>
YB. Tuan Wong Chen [Subang]	
YB. Puan Nurul Izzah binti Anwar [Permatang Pauh]	
YB. Tuan Steven Choong Shiau Yoon [Tebrau]	
YB. Datuk Haji Hasanuddin bin Mohd Yunus [Hulu Langat]	
YB. Tuan Wong Hon Wai [Bukit Bendera]	
YB. Puan Wong Shu Qi [Kluang]	
YB. Tuan Muslimin bin Yahaya [Sungai Besar]	
YB. Datuk Seri Haji Ahmad bin Haji Hamzah [Jasin]	
YBhg. Datuk Roosme binti Hamzah	- <i>Setiausaha</i>

Tidak Hadir [*Dengan Maaf*]

YB. Tuan William Leong Jee Keen [Selayang]
YB. Dato' Takiyuddin bin Hassan [Kota Bharu]
YB. Tuan Robert Lawson Chuat [Betong]

URUS SETIA

Encik Amisyahrizan bin Amir Khan [Setiausaha Bahagian (Pengurusan Dewan Rakyat)]
Encik Ahmad Johan bin Mohd Affandi [Ketua Sekretariat Jawatankuasa Kira-kira Wang Negara, Parlimen Malaysia]
Encik Rosli bin Aw Ahmad [Juruaudit Jawatankuasa Kira-kira Wang Negara, Parlimen Malaysia]
Puan Lee Jing Jing [Jurubahasa Serentak Kanan I (Jurubahasa dan Terjemahan, Pengurusan Dewan Rakyat), Parlimen Malaysia]

HADIR BERSAMA

Jabatan Audit Negara (JAN)

Tuan Haji Mohd Zaki bin Ismail [Pengarah Sektor Audit Prestasi (Bahagian Audit Prestasi II)]
Cik Nurnadiah binti Kamarudin [Penolong Juruaudit Sektor Audit Prestasi (Bahagian Audit Prestasi I)]

samb/-

HADIR BERSAMA (*samb/-*)**Kementerian Kewangan Malaysia (MOF)**

Encik Suhaili bin Ahmad [Setiausaha Bahagian (Strategi Korporat dan Komunikasi)]

Suruhanjaya Pencegahan Rasuah (SPRM)

Datuk Haji Abd Aziz bin Aban [Pengarah Bahagian Pemeriksaan dan Perundingan]

Tuan Wan Mohamad bin Wan Drahman [Ketua Cawangan Sektor Awam bahagian Pemeriksaan dan Perundingan]

Jabatan Akauntan Negara

Puan Zuriyanti binti Abd Hamid [Ketua Penolong Pengarah Kanan (Bahagian Perkhidmatan Operasi Pusat dan Agensi)]

Kementerian Hal Ehwal Ekonomi (MEA)

Encik Khalid bin Mohamed [Timbalan Pengarah 1 Bahagian Bajet Pembangunan]

Puan Norzie Fariza binti Suid [Ketua Penolong Pengarah (Kerajaan Tempatan) Bahagian Perkhidmatan Sosial]

Jabatan Perkhidmatan Awam (JPA)

Puan Ilyani binti Md Razak [Ketua Penolong Pengarah Bahagian Perkhidmatan (Unit Khas Laporan Ketua Audit Negara)]

Puan Suriati binti Samsudin [Ketua Penolong Pengarah Unit Cawangan Operasi Perkhidmatan/ Sektor OB/ Unit 4]

SAKSI**Peguam Negara Malaysia**

Datuk Siti Zainab binti Omar [Peguam Cara Negara II]

Puan Norhasmiza binti Othman [Peguam Kanan Persekutuan Bahagian Penasihat]

Cik Farhati binti Ahmad Tajuddin [Peguam Kanan Persekutuan Bahagian Penasihat]

Puan Hanisa binti Salehin [Peguam Kanan Persekutuan Bahagian Penasihat]

LAPORAN PROSIDING

MESYUARAT JAWATANKUASA KIRA-KIRA WANG NEGARA PARLIMEN KEEMPAT BELAS, PENGGAL KEDUA

Selasa, 23 April 2019

Bilik Jawatankuasa 1, Blok Utama, Parlimen Malaysia, Kuala Lumpur

Mesyuarat dimulakan pada pukul 10.03 pagi

[Yang Berhormat Dato' Dr. Noraini Ahmad *mempengerusikan Mesyuarat*]

Tuan Pengerusi: Okey. *Bismillahi Rahmaani Rahiim. Assalamualaikum warahmatullahi wabarakatuh.* Salam sejahtera dan selamat pagi. Kita dah boleh *proceed* sebab kuorum pun dah cukup. So, Ahli-ahli Yang Berhormat, Ahli-ahli PAC Parlimen, Yang Berbahagia Datuk Roosme binti Hamzah selaku Setiausaha PAC Parlimen merangkap Setiausaha Dewan Rakyat. Selamat datang kepada *ex-officio* PAC Parlimen yang terdiri daripada Kementerian Kewangan, Kementerian Hal Ehwal Ekonomi, Jabatan Perkhidmatan Awam, Jabatan Peguam Negara, Pesuruhjaya Pencegahan Rasuah Malaysia dan juga Jabatan Akauntan Negara. Terima kasih semua kerana hadir pada hari ini. *They are behind us. Thank you very much for being here today.* Yang Berhormat Ahli-ahli Mesyuarat sekalian, hari ini hari pertama saya mempengerusikan mesyuarat prosiding Jawatankuasa Kira-kira Wang Negara.

Datuk Roosme binti Hamzah [Setiausaha Dewan Negara]: *Steady* wanita. [Ketawa]

Tuan Pengerusi: Selepas dipilih oleh Ahli-ahli Majlis Dewan Rakyat melalui usul Yang Amat Berhormat Perdana Menteri pada hari Khamis 11 April yang lalu. Terima kasih banyak, ianya telah diterima sebulat suara.

Saya ingin merekodkan dalam Hansard PAC Parlimen untuk mengucapkan terima kasih dan setinggi penghargaan terutamanya kepada Mantan Pengerusi PAC Parlimen Yang Berhormat Datuk Seri Dr. Ronald Kiandee yang memegang jawatan ini selepas lapan bulan. Sepanjang lapan bulan itu Datuk Seri Dr. Ronald Kiandee berjaya menjalankan tugas sebagai Pengerusi PAC Parlimen dengan cemerlang dengan mengadakan lebih daripada 30 mesyuarat prosiding, mesyuarat *housekeeping*, taklimat dan mesyuarat pengesahan laporan.

Sepanjang tempoh itu juga PAC Parlimen sudah membentangkan dua laporan ke dalam Dewan Rakyat iaitu berhubung yang pertamanya projek naik taraf Kompleks Sukan Negara Bukit Jalil dan yang keduanya Pengurusan Marina Awam. Yang Berhormat Datuk Seri Dr. Ronald Kiandee juga mendapat kerjasama baik daripada semua Ahli Yang Berhormat PAC Parlimen

sepanjang mengendalikan mesyuarat prosiding PAC Parlimen. Sehubungan dengan itu, saya dengan rendah hati saya memohon sokongan serta kerjasama daripada semua Yang Berhormat Ahli-ahli PAC Parlimen serta ex-officio PAC Parlimen sepanjang saya mengendalikan mesyuarat jawatankuasa ini. Adalah sangat penting untuk kita yang diberi mandat sebagai Ahli PAC Parlimen untuk menjalankan tugas dengan telus tanpa dipengaruhi dengan unsur kepartian kerana paling utama adalah demi kepentingan rakyat dan negara.

Yang Berhormat Ahli-ahli mesyuarat sekalian, sebelum kita memanggil saksi Jabatan Peguam Negara dan Suruhanjaya Pencegahan Rasuah Malaysia untuk masuk bagi prosiding penjualan tanah milik Dewan Bandaraya Kuala Lumpur, saya ingin memaklumkan beberapa perkara kepada jawatankuasa ini. Di dalam sampul kecil milik semua Ahli PAC Parlimen, Sekretariat PAC Parlimen ada meletakkan salinan laporan tuntutan tunggakan bayaran balik Cukai Barang dan Perkhidmatan (GST) yang berjumlah RM19.4 bilion yang disediakan oleh Laporan Audit Negara dan diserahkan kepada PAC Parlimen pada 16 April baru-baru ini ataupun tahun 2019. Laporan berkenaan sangat penting kepada jawatankuasa ini dalam menyediakan laporan PAC berhubung isu tuntutan tunggakan bayaran balik GST berjumlah RM19.4 bilion.

Okey, semua adakan atas meja masing-masing? Okey, jadinya PAC Parlimen sudah menjalankan 16 prosiding serta taklimat berhubung isu ini. Saya berpendapat adalah penting untuk laporan ini dibentangkan ke dalam Dewan Rakyat dalam sidang Dewan Rakyat yang bermula 1 Julai depan. Selepas saya meneliti semua Hansard, *because I think all of you must have aware that* saya masuk tengah jalan dan saya tengok semua Hansard yang melibatkan isu ini dan saya ingin mencadangkan supaya jawatankuasa ini memanggil Akauntan Negara sebagai saksi untuk prosiding ini disebabkan mantan Menteri Kewangan Dato' Sri Mohd Najib bin Tun Abd Razak dengan jelas menyebut beberapa kali dalam keterangannya bahawa beliau dinasihatkan Akauntan Negara dalam membuat keputusan berhubung GST.

Jadinya keterangan daripada Akauntan Negara ini amat penting bagi PAC menyediakan satu laporan yang komprehensif serta tidak dipertikaikan mana-mana pihak. Itu yang saya kira sebagai *missing piece* terhadap persoalan keputusan yang dibuat mantan Menteri Kewangan ketika itu.

Jadinya Yang Berhormat semua saya ingin memaklumkan bahawa – saya ingin memaklumkan juga ini berkaitan perkara lain bahawa prosiding jawatankuasa ini bersama Yang Berhormat Datuk Seri Mohd Redzuan Yusof iaitu Menteri Pembangunan Usahawan berhubung projek pembangunan *air mobility* di bawah Kementerian Pembangunan Usahawan yang sepatutnya ataupun dijadualkan untuk berada pada petang ini jam 2.30 petang ditangguhkan kepada 9 Mei 2019 jam 10.30 pagi. Minta dinotakan.

Yang Berhormat Menteri ada menulis surat kepada Datuk Roosme binti Hamzah iaitu Setiausaha PAC pada 10 April memohon untuk menangguhkan prosiding berkenaan berikutan urusan rasmi yang tidak dapat dielakkan. Beliau telah mencadangkan tarikh 9 Mei 2019 untuk beliau hadir memberikan penjelasan dan juga keterangan. Saya bersetuju untuk prosiding berkenaan ditangguhkan ke tarikh yang dicadangkan oleh Yang Berhormat Menteri Pembangunan Usahawan. Saya harap Ahli-ahli Yang Berhormat, Ahli PAC dapat bersama dengan kita dalam prosiding yang akan datang ini.

Jadinya Yang Berhormat Ahli Mesyuarat sekalian, saya juga ingin memaklumkan bahawa jawatankuasa ini akan menerima kunjung hormat daripada Jawatankuasa Kira-kira Wang Negara Bhutan pada 10 Mei jam 10 pagi. Saya harap semua Yang Berhormat, Ahli-ahli PAC dapat hadir dalam kunjung hormat ini.

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Jadi, *you can put the date in your diary* dan kita akan memberikan taklimat kepada delegasi berkaitan berhubung PAC Parlimen. Jadi, saya rasa itu sahaja yang perlu saya sampaikan. Jadi, kalau ada apa-apa persoalan, pertanyaan ataupun cadangan daripada Yang Berhormat Ahli-ahli PAC Parlimen sebelum kita panggil saksi yang pertama masuk. Jadi, terima kasih banyak kepada semua.

Tuan Wong Kah Woh [Ipoh Timur]: Tuan Pengerusi, minta pencerahan. So untuk *next step* untuk GST yang memanggil Ketua Akauntan Negara adalah pada 9 Mei? *Can we...*

Encik Ahmad Johan bin Mohd Affandi [Ketua Sekretariat Jawatankuasa Kira-kira Wang Negara, Parlimen Malaysia]: *[Bercakap tanpa menggunakan pembesar suara]*

Tuan Pengerusi: Kita belum *decide*...

Tuan Wong Kah Woh: Belum *decide* lagi?

Tuan Pengerusi: Kita belum *decide*. Jadi, kita boleh— Kalau kita panggil dia *on the 9th*, *then* kita panggil dia *on the 9th*.

Tuan Wong Kah Woh: Ya, sebab *I think* jika Menteri, Yang Berhormat Datuk Seri Mohd Redzuan Yusof sebelah pagi, *then we can do it in the afternoon*. *The 10 days' notice* pun cukup, memang cukup.

Tuan Pengerusi: Cukup notis *14 days* ya? Okey. Boleh ya? Semua boleh mesyuarat? *[Disampuk]* Okey, ahli mesyuarat. Okey.

Tuan Wong Chen [Subang]: *At 2.30 pm?*

Tuan Wong Kah Woh: *At 2.30 pm?*

Tuan Pengerusi: Ya. Ini sebab dia pagi, jadi kita buat petang-lah. Jadinya *the whole day* kita ada di sini. *On the 9th May. Is it okay?* *[Disampuk]* Yang Berhormat Kluang?

Puan Wong Shu Qi [Kluang]: Pagi? Waktu pagi?

Tuan Pengerusi: *No, because we are going to have the whole day punya session because we are going to have the Minister of Kementerian Pembangunan Usahawan datang, jadi on the same day itu elok juga kita panggil Akauntan Negara.*

Tuan Wong Kah Woh: Yes, sebelah petang.

Puan Wong Shu Qi: Menteri sudah tentu...

Tuan Pengerusi: *Confirmed.*

Puan Wong Shu Qi: Waktu pagi dia boleh datang?

Tuan Pengerusi: Dia sudah beri surat.

Datuk Roosme binti Hamzah: Dia *requested.*

Tuan Pengerusi: Dia yang minta kepada kita.

Puan Wong Shu Qi: Saya cuma risau mungkin nanti Menteri akan minta tunda lagi kerana kalau tidak silap *info* saya, hari itu ada *ceremony* untuk menyambut ulang tahun satu tahun Pakatan Harapan.

Tuan Pengerusi: Oh, yakah? Boleh kita *check* semula tidak ini?

Puan Wong Shu Qi: Di Putrajaya.

Tuan Pengerusi: Encik Johan, *can you please check on this date?*

Tuan Wong Kah Woh: Betul, betul. Ada, ada. *Luckily you remind me.*

Tuan Pengerusi: Ya.

Datuk Roosme binti Hamzah: *Same day* Yang Berhormat?

Tuan Pengerusi: Betul sama tarikh kah, 9 hari bulan?

Tuan Wong Kah Woh: *So*, hendak *join* kita?

Tuan Pengerusi: *Aiyo, you. [Ketawa]* Okey, begini. Kita minta supaya Ketua Sekretariat berhubung semula dengan pejabat Menteri dan kita minta juga kalau misalannya dia bagi pagi punya tarikh, petang kita panggil Akauntan Negara. *Make it on the same day. Is it okay* ahli mesyuarat? Ya. Boleh ya Encik Johan ya? Akan tetapi kena buat sesegera yang boleh supaya semua maklum dan kita boleh masukkan dalam diari kita. *So that, all of us can hadir.*

Tuan Wong Kah Woh: Okey. Akan tetapi...

Datuk Roosme binti Hamzah: Ulang tahun itu *what time?*

Tuan Wong Kah Woh: *What time* Yang Berhormat Kluang? *The whole day?*

Tuan Pengerusi: *I tak tahu ya. Maknanya... [Ketawa]*

Puan Wong Shu Qi: *Morning PICC...*

Datuk Roosme binti Hamzah: *Morning PICC.*

Puan Wong Shu Qi: Ya. Petang itu berbuka puasa.

Tuan Pengerusi: Oh! Itu puasa *already*?

Puan Wong Shu Qi: Ya.

Datuk Roosme binti Hamzah: Puasa *ma*.

Puan Wong Shu Qi: Tarikh 6 Mei masuk Ramadhan.

Tuan Pengerusi: *You* jangan makan sebelah / okey. *[Ketawa]*

Tuan Wong Kah Woh: *[Ketawa]*

Tuan Pengerusi: *So*, tengok sahajalah. Tidak apalah, puasa lebih banyak pahala lagi *ma*. Orang tidak boleh cakap tidak betul.

Datuk Roosme binti Hamzah: *Oh I see*. Akan tetapi Menteri pun kena pergi-lah.

Tuan Pengerusi: Ya, Menteri kena pergi juga kecuali dia sudah hendak keluar dari Pakatan Harapan.

[Ketawa]

Datuk Roosme binti Hamzah: Mungkin dia punya...

Tuan Pengerusi: Okey. Untuk makluman, kita *just do that*. Kita minta Encik Johan untuk tolong kita. Terima kasih semua.

Encik Ahmad Johan bin Mohd Affandi: *But if Menteri cannot, then we still proceed on the 9th?*

Tuan Pengerusi: Maksud dia?

Encik Ahmad Johan bin Mohd Affandi: Akauntan Negara.

Tuan Pengerusi: Tidak, tidak. Kita buat sama hari. Ini sebab mungkin Akauntan Negara pun kena hadir juga ke sana.

Datuk Roosme binti Hamzah: Tidak. Apa yang penting...

Tuan Pengerusi: *I don't know*.

Tuan Wong Kah Woh: *It is political event*.

Datuk Roosme binti Hamzah: Ya-lah, itu *political event*.

Tuan Pengerusi: *Oh, political event*.

Datuk Roosme binti Hamzah: *Political event*, tidak bolehlah.

Tuan Pengerusi: Oh, itu bukan kerajaan punya *event*?

Datuk Roosme binti Hamzah: *Political*, Pakatan Harapan.

Tuan Pengerusi: Ini sebab *celebration of one year* Pakatan Harapan *will be national* punya *event* apa, *you all* punya *event*. Okeylah, *never mind*. Kita minta— Kita tidak payah...

Tuan Wong Kah Woh: *[Bercakap tanpa menggunakan pembesar suara]*

Tuan Pengerusi: Kita *check* dengan *Minister and then after that*, *you* buat panggil Akauntan Negara *on the same day*. *Alright, thank you very much. Thank you very much.*

[Saksi dari Jabatan Peguam Negara mengambil tempat di depan Jawatankuasa]

Tuan Pengerusi: Selamat pagi, salam sejahtera saya ucapkan terutamanya kepada Yang Berhormat Ahli-ahli PAC Parlimen, sekali lagi Yang Berbahagia Datuk Roosme binti Hamzah dan semua *ex officio* PAC Parlimen yang hadir pada hari ini. Yang Berhormat dan ahli-ahli mesyuarat sekalian, pagi ini PAC Parlimen akan meneruskan mesyuarat prosiding berhubung penjualan tanah milik Dewan Bandaraya Kuala Lumpur. PAC Parlimen telah memulakan mesyuarat prosiding berhubung isu ini sebenarnya pada 4 April 2019 dengan memanggil Yang Berhormat Tuan Khalid bin Abd Samad selaku Menteri Wilayah Persekutuan. Hasil daripada penjelasan Yang Berhormat Menteri, jawatankuasa ini berpendapat perlu untuk memanggil Peguam Negara dan Ketua Pesuruhjaya Suruhanjaya Pencegahan Rasuah Malaysia (SPRM) secara berasingan bagi memberikan penjelasan dan juga keterangan.

Jadi pada hari ini, jawatankuasa akan mendengar terlebih dahulu penjelasan daripada Peguam Negara, Yang Berbahagia Tuan Tommy Thomas dan selepas itu, Parlimen pula akan memanggil Yang Berbahagia Dato' Sri Mohd Shukri Abdull. Walau bagaimanapun, PAC Parlimen dimaklumkan bahawa Yang Berbahagia Tuan Tommy Thomas tidak dapat hadir dalam prosiding hari ini dan diwakili dengan Yang Berbahagia Datuk Siti Zainab binti Omar selaku Peguam Cara Negara II yang hadir di hadapan jawatankuasa ini.

Jadi Yang Berhormat ahli-ahli mesyuarat sekalian, saya ingin merekodkan dalam *Hansard* Parlimen bahawa saya amat kesal dengan ketidakhadiran Peguam Negara pada hari ini memandangkan notis panggilan mesyuarat prosiding telah ditandatangani oleh Yang Berbahagia Datuk Roosme iaitu Setiausaha PAC merangkap Setiausaha Dewan Rakyat yang telah dihantarkan ke pejabat beliau pada 9 April 2019. Sekretariat PAC Parlimen hanya dimaklumkan secara lisan berhubung ketidakhadiran Peguam Negara pada hari Khamis lalu dan menggantikan dengan Peguam Cara Negara II. Jadi dalam waktu yang sama, saya juga faham bahawa Peguam Negara perlu hadir ke mahkamah berhubung satu kes pembicaraan berprofil tinggi.

Walaupun bagaimanapun pada saya, beliau seharusnya menghantar surat rasmi kepada kami berhubung ketidakhadiran kepada Setiausaha PAC dan mencadangkan satu tarikh yang beliau dapat hadir di hadapan jawatankuasa ini. Jadi Yang Berhormat ahli-ahli mesyuarat sekalian, saya berpendapat jawatankuasa ini mendengar dahulu penjelasan dan keterangan daripada Peguam Cara Negara II. Sekiranya kita tidak berpuas hati dan berpendapat bahawa Peguam Negara perlu juga hadir, saya akan meminta satu tarikh ditetapkan bagi prosiding membabitkan Peguam Negara. Jadi sehubungan dengan itu, tanpa membuang masa, saya

mempersilakan Yang Berbahagia Datuk Siti Zainab binti Omar untuk memberikan penjelasan dan keterangan berhubung mesyuarat prosiding pada hari ini. Terima kasih. Dipersilakan Yang Berbahagia Datuk.

Datuk Siti Zainab binti Omar [Peguam Cara Negara II, Jabatan Peguam Negara]: *Assalamualaikum warahmatullahi wabarakatuh* dan selamat sejahtera Ahli-ahli Yang Berhormat sekalian. Pertama sekali saya memohon maaf. Sebenarnya memang Yang Berbahagia Peguam Negara sendiri ingin hadir, tetapi disebabkan kes mahkamah yang sememangnya kadang-kadang tidak dijangka dia punya tarikh, jadi beliau tidak dapat hadir dan telah mewakilkan saya sendiri untuk hadir. Saya sememangnya bersama dengan beliau dalam mengendalikan kes-kes yang melibatkan perkara yang kita akan bincangkan. Jadi, beliau merasakan adalah saya boleh memberi apa-apa penjelasan yang diminta dalam PAC ini.

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Jadi, sekali lagi, kami memohon maaf. Kadang-kadang memang tidak dapat dielakkanlah untuk memaklumkan terlebih awal. Walaupun kami akur Parlimen telah memaklumkan lebih awal tetapi tarikh perbicaraan ini agak sukar kita tentukan, ia terpulang kepada mahkamah. Ya, baik.

Yang Berhormat Ahli-ahli PAC ya, mengenai transaksi ya— saya terus dengan transaksi yang kita akan bincangkan ini. Jabatan Peguam Negara, kami sedia maklum bahawa dari segi latar belakangnya, pada mulanya, terdapat 97 kes yang melibatkan penjualan tanah DBKL dan sedia maklum bahawa kementerian telah menubuhkan satu pasukan petugas, *task force* yang telah bersidang.

Walau bagaimanapun, penglibatan Jabatan Peguam Negara ini hanyalah pada bulan Oktober 2018 sebagai jemputan sahaja. Itu pun kami dimaklumkan oleh Penasihat Undang-undang Kementerian Wilayah mengenai perkara yang telah diambil tindakan oleh Kementerian Wilayah. Jadi, wakil Jabatan Peguam Negara hanya hadir pada mesyuarat-mesyuarat yang diadakan pada 2 Oktober 2018, 4 Oktober 2018, 11 Oktober 2018 dan 8 November 2018.

Datuk Haji Hasanuddin bin Mohd Yunus [Hulu Langat]: Tuan Pengerusi.

Datuk Siti Zainab binti Omar: Ya.

Datuk Haji Hasanuddin bin Mohd Yunus: Boleh saya dapatkan penjelasan? Istilah tadi sebagai turut hadir ataupun sebagai Jawatankuasa? Sekali lagi saya hendakkan kepastian.

Datuk Siti Zainab binti Omar: Kami bukan sebagai Ahli Jawatankuasa, hanya turut hadir sahaja.

Datuk Haji Hasanuddin bin Mohd Yunus: Memang disebutkan begitu?

Datuk Siti Zainab binti Omar: Memang hanya jemputan sahaja. Begitu di Kementerian Wilayah. Sebab, pada masa itu pun kami difahamkan terdapat juga keputusan-keputusan dan

rundingan yang telah dibuat oleh Kementerian Wilayah yang tidak melibatkan Jabatan Peguam Negara.

Tuan Pengerusi: Masa surat itu— minta maaf. Masa surat itu dihantar untuk menjemput pihak AG untuk sama hadir, surat itu tarikh dia bila?

Datuk Siti Zainab binti Omar: Hanya e-mel sahaja yang dimaklumkan. Itu pun daripada Penasihat Undang-undang di Kementerian Wilayah. Penasihat Undang-undang ini adalah juga pegawai Jabatan Peguam Negara yang ditempatkan ya, kader di Kementerian Wilayah.

Tuan Pengerusi: E-mel itu ingat tarikh dia bila?

Datuk Siti Zainab binti Omar: 29 September.

Tuan Pengerusi: Oh, 29 September.

Tuan Wong Chen: *Chairman...*

Tuan Pengerusi: Yes, silakan.

Tuan Wong Chen: Okey, terima kasih. Datuk Siti, maknanya Menteri tidak jemputlah. Sebenarnya *your own department officer asked you to attend. Is that true?*

Datuk Siti Zainab binti Omar: *Well, I would say that because the way the structure for our officers' work, they normally report to us whatever matters of public interest, right? And because the legal advisors they normally still come back and are answerable to AG's Chamber, so it is our own initiative actually from the legal advisor to inform us that it is a matter of public interest and that she has actually informed us and we feel duty bound, since she is our officer, to actually attend.*

Tuan Wong Chen: *So, for the record, who attended on behalf of the AG Office? Understand that you have a system of prosecution and also Federal Council, right?*

Datuk Siti Zainab binti Omar: *So at the moment, we do not involve any prosecution, we do not see any criminal element yet. And normally meeting at ministries would be attended by the Advisory Division and actually the officer who had attended are with me today.*

Tuan Wong Chen: *So, these are the three officers?*

Datuk Siti Zainab binti Omar: *Yes, they attended.*

Datuk Haji Hasanuddin bin Mohd Yunus: Dengan kata lain, Pejabat AG merasakan bahawa perlu anggota daripada Pejabat AG untuk menjadi anggota dalam Jawatankuasa JTTMDBKL, begitu?

Datuk Siti Zainab binti Omar: Kami bukan merasakan— kami tidak dijemput sebagai anggota Jawatankuasa, tetapi sebagai penasihat kepada kerajaan, kami rasa sepatutnya kami berada di situ dan memberi apa-apa nasihat yang mungkin berbangkit daripada apa yang dibincangkan dalam mesyuarat.

Datuk Haji Hasanuddin bin Mohd Yunus: Okey, apa tujuan terlantiknya PUU yang dipinjamkan ke kementerian-kementerian? Apakah mereka tidak dapat menampung tugas itu?

Datuk Siti Zainab binti Omar: Seharusnya mereka boleh menampung tetapi dalam kes-kes yang melibatkan kepentingan awam dan dalam perkara ini kami kira ia adalah satu perkara yang melibatkan kepentingan awam, jadi selalunya pihak ibu pejabat di Jabatan Peguam Negara akan membantu malah mungkin mengetuai apa-apa nasihat yang perlu diberikan disebabkan kepentingan awam dan *national interest* juga mengenai perkara yang dibangkitkan.

Tuan Pengerusi: *So, in short, you feel that this is a national interest?*

Datuk Siti Zainab binti Omar: *From the report, from what we have seen and what is reported in news, media and, you know, it is all a public knowledge that there are these inquiries or task force. So, we do feel that. And also, I think it is dibangkitkan at forum of meeting. So, we feel that we should be there.*

Tuan Wong Chen: *Chairman, just a question. Datuk Siti, you said earlier that some events happened first, therefore it triggered your interest or at least triggered your officer to report to you. So, are you saying that some deals were concluded and then it came to your knowledge, therefore you started participating on October 2nd?*

Datuk Siti Zainab binti Omar: *From the report that were received, there were already sittings of the Committee to look at all the, perhaps, dubious land transactions. But we do not know exactly what they were or how far they were. We were just reported that there were these meetings and, you know, certain steps wanted to be taken. That's all.*

Tuan Wong Chen: *On 2nd October, hasn't been any deals concluded prior to your first involvement on—I mean, I recorded down that the first meeting you attended at least from the HQ side was 2nd October, right? So, by the time you got to date on 2nd October, has any deal concluded between the ministry and the developers or, you know, suspected shenanigan of the developers?*

Datuk Siti Zainab binti Omar: *When we attended, there were—the officers had been informed or rather when we participating, we found that some negotiation is already started. So, there are work in progress basically. So, there are some deals being made, some negotiations are being done. So, you know, those were the progress of works. That's all.*

Tuan Wong Chen: *But none from...*

Puan Nurul Izzah binti Anwar [Permatang Pauh]: *Ya, as follow-up. Ya, Chairwoman. Persoalan saya, Datuk, tadi disebut bahawa Datuk hanyalah hadir selaku pemantau, observer lah, observer, jemputan. Maka, ada tidak in any particular point in time where the AG Chambers actually requested to be officially placed in the Committee or were it sufficient through the*

Penasihat Undang-undang? *I just want to understand the structure and in terms of the limits of your powers or limits of your advisory role lah.*

Datuk Siti Zainab binti Omar: *As the advisor to government, normally it would be up to the ministry who will actually decide whether they want us to be actually part of it or is it sufficient that, you know, we are just being members. So, we do not insist or we do not impose ourselves but we are there to help with any legal advice.*

Tuan Pengerusi: *Okey. Jadinya, Datuk, when I asked you earlier, you feel that you should be there. I mean you feel, your side feels that it is necessary for you to be there sebab ia berkepentingan awam. But now you mention that bila berada di situ, ia lebih kepada you feel but you tidak— my soalan adalah adakah pihak Datuk, from your office, ada request secara official ataupun berbincang secara rasmi dengan Yang Berhormat Menteri untuk hadir sebagai ahli mesyuarat dalam perkara ini?*

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Datuk Siti Zainab binti Omar: *Tiada. Kami tiada membincang. Kami hanya dijemput dan kami hadir— we don't insist on this. Because... [Disampuk]*

Tuan Pengerusi: *Did you make any suggestion at all?*

Datuk Siti Zainab binti Omar: *No. Because you see, whatever ministry, is actually policy decisions. What they want to do with certain matters are matter of policies. We can only advise. So, we don't impose our views. They were in normal government business. Sometimes, our advice is not being, you know take in consideration. So, we are only there as an advisor.*

Datuk Haji Hasanuddin bin Mohd Yunus: *Chairman, sekali lagi Datuk Siti. Kalau saya hendak bertanya, adakah sebenarnya bahawa Menteri tidak wajib ataupun tidak mesti untuk melantik dalam komiti yang dibentuk itu dari pejabat AG?*

Datuk Siti Zainab binti Omar: *Ya, tiada.*

Datuk Haji Hasanuddin bin Mohd Yunus: *Setuju dengan saya?*

Datuk Siti Zainab binti Omar: *Ya.*

Datuk Haji Hasanuddin bin Mohd Yunus: *Terima kasih.*

[Ahli-ahli berbincang sesama sendiri]

Tuan Pengerusi: *Lagi satu. Minta maaf. Datuk tadi ada sebut mengenai 97. Walau bagaimanapun, kita mendapat makluman bahawa sebab kita hari ini ada dua prosiding. Kita dapat makluman mengenai yang SPRM komen hanya 64 lot tanah. So kenapa pada pandangan Datuk daripada pihak AG, mengapa 97 versus 64 ini? Terima kasih.*

[Ahli-ahli berbincang sesama sendiri]

Datuk Siti Zainab binti Omar: *I think the 97—* saya difahamkan yang 97 itu hanya inisiatif daripada kementerian sendiri untuk melihat semula semua transaksi yang perlu dilihat dan dikaji semula. Sebanyak 64 itu adalah perkara yang telah dilaporkan oleh Yang Berhormat. Akan tetapi, kami pun tidak lihat semua 64 itulah. *[Ketawa]*

Tuan Pengerusi: Datuk dah habis kah, belum kah atau ada apa lagi hendak?

Datuk Siti Zainab binti Omar: Saya hanya ingin maklumkan. Selepas Mesyuarat yang di hadir dekat itu. Kami dapati hanya 20 yang telah dirujuk kepada Jabatan Peguam Negara. Dalam kes yang dirujuk itu, kami telah cuba meneliti daripada fakta-fakta yang diberikan dan satu mesyuarat telah diadakan oleh Yang Berbahagia Peguam Negara sendiri dengan DBKL yakni bahagian undang-undang serta penasihat undang-undang Kementerian Wilayah. Di mana kami cuba untuk meneliti sama ada kemungkinan mungkin tindakan sivil boleh diambil terhadap transaksi berkenaan. Memandangkan DBKL merupakan satu badan pertubuhan perbadanan atau *body corporate*. Jadi, dia boleh melantik peguam sendiri yakni peguam swasta. Jadi, berdasarkan pengalaman daripada Yang Berbahagia Peguam Negara sebagai *private lawyer*, jadi beliau telah mencadangkan supaya diambil peguam luar *Shearn Delamore* dari firma yang besar... *[Disampuk]*

Tuan Wong Kah Woh: Siapa yang mencadangkan? *[Berucap tanpa menggunakan pembesar suara]*

Datuk Siti Zainab binti Omar: Peguam Negara sendiri. Untuk meneliti perkara ini. Sebab kalau ada kes yang perlu dibawa ke mahkamah jadi ia boleh diambil oleh peguam swasta itu bukan Jabatan Peguam Negara. Akan tetapi, kami sebagai memandangkan kepentingan awam, jadi kami bantu. Jadi, kami telah mengadakan mesyuarat... *[Disampuk]*

Tuan Wong Kah Woh: Maaf Datuk. Berkenaan dengan isu cadangan daripada AG untuk mengambil tindakan sivil. Boleh tidak Datuk Siti untuk huraikan dengan lebih lanjut apakah *what is the cause of action and all this thing* dan apakah sebenarnya nasihat daripada AG *and what has been done? Thank you.*

Datuk Siti Zainab binti Omar: *I'm going there. [Berucap tanpa menggunakan pembesar suara]*

Tuan Wong Kah Woh: *Okay, thanks.*

Datuk Siti Zainab binti Omar: Okey. Masih latar belakang. *[Ketawa]* Mukadimah panjang lagi. *Actually, we work with the private lawyer. So, AG like I said AG has recommended the lawyers. So, kita telah banyak kali meminta. Sebab the documents are with DBKL. So, we have to get from DBKL's documents and we only managed to get some documents and we had another meeting with Shearn Delamore on 28th January to discuss apa pandangan daripada Shearn*

Delamore mengenai, berdasarkan dokumen-dokumen yang telah diperoleh daripada DBKL. Jadi, *Shearn Delamore* pada masa itu telah menasihatkan bahawa terdapat kemungkinan boleh mendapat kembali, *recovery of land* untuk 10 transaksi dan tujuh untuk tuntutan ganti rugi.

Saya nyatakan tadi ada 20 kes kan? Akan tetapi, dari *Shearn Delamore* hanya dapat menilai dalam 17 kes kerana tiga kes lagi mereka ada *conflict of interest*. Jadi, Tuan Peguam Negara telah mencadangkan juga satu firma lain untuk meneliti tetapi kami tidak dapat apa-apa laporanlah mengenainya.

Tuan Pengerusi: Firma lain yang dimaksudkan itu ada nama dia?

Datuk Siti Zainab binti Omar: Firma *Sreenevasan Young*.

Tuan Wong Chen: *Sreenevasan Young*. [Berucap tanpa menggunakan pembesar suara]

Datuk Siti Zainab binti Omar: Yes. Robert Lazar I think was too.

Puan Nurul Izzah binti Anwar [Permatang Pauh]: So, the cost— maaf *Chairwoman*. The cost for these proceedings will be borne by Kementerian Wilayah?

Datuk Siti Zainab binti Omar: Will be borne by DBKL.

Puan Nurul Izzah binti Anwar: Hah, okey.

Datuk Siti Zainab binti Omar: Because DBKL is a party, dia corporate sole so they can. So, we have recommended and— you know, put up the cost. But, so in that meeting *Shearn Delamore*— those were the advice, that there could be a possible recovery of land for 10 transactions and action to claim for damages for seven transactions. So... [Disampuk]

Tuan Wong Kah Woh: Sorry again. Possible recovery for 10?

Datuk Siti Zainab binti Omar: Of land for 10 transactions and...

Tuan Wong Kah Woh: Okey.

Datuk Siti Zainab binti Omar: ...Action to claim for damages for seven transactions.

Tuan Pengerusi: But you haven't received on three matters yang daripada...

Datuk Siti Zainab binti Omar: No. We haven't.

Tuan Wong Kah Woh: Because that three matters *Shearn* is having conflict of interest, right?

Datuk Siti Zainab binti Omar: Yes. That's right.

Tuan Wong Kah Woh: So, so far under *Shearn* there are 10 transactions they advised there's a possible recovery and the other seven will be action for claim for damages.

Datuk Siti Zainab binti Omar: Yes. So, in that meeting Peguam Negara telah mengarahkan supaya *Shearn Delamore* untuk menyediakan penyata tuntutan. The statement of claim— for him to see. We need to see and also to negotiate with the DBKL on the cost. The fees.

Tuan Wong Kah Woh: *So, actually instruction was given to prepare the statement of claim?*

Datuk Siti Zainab binti Omar: *A draft.*

Tuan Wong Kah Woh: *Draf?*

Datuk Siti Zainab binti Omar: *A draft statement of claim.*

Puan Nurul Izzah binti Anwar: *You mentioned that the other three cases involving Sreenevasan and Young you didn't get any input, feedback. What does that mean exactly? Meaning DBKL did not provide you any updates?*

Datuk Siti Zainab binti Omar: *Right, because— what happened was the lawyers that AG recommended was from Shearn Delamore. So, he has set up another firm. So, because Shearn Delamore will not be conflicted. So that's why we have to ask the other lawyer. But— kita tidak sempat buat ya. Sebab saya tidak habis cerita lagi. [Ketawa] Selepas kita meeting itu, kita meeting tadi saya beritahu 28 Januari. Akan tetapi pada 31 Januari, DBKL telah mengarahkan Shearn Delamore sebab Shearn Delamore telah memberi dia punya tuntutanlah, fees dia and all that. Akan tetapi pada 31 Januari, Shearn Delamore telah diminta untuk menanggungkan semua tugasannya berkenaan kes-kes yang melibatkan kajian di bawah Shearn Delamore dan selepas itu — walaupun demikian, Shearn masih beri kita the draft just for us to see and after that we did not proceed because we were waiting for instruction from DBKL.*

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Tuan Wong Kah Woh: *What was the reason given by DBKL to ask Shearn not to proceed?*

Datuk Siti Zainab binti Omar: *The reason given is just for them to get instruction from Menteri.*

Tuan Wong Chen: *Basically pending instruction from the Menteri lah?*

Datuk Siti Zainab binti Omar: *Pending instruction. And we as lawyers we do not proceed until we get instructions.*

Tuan Pengerusi: *So, meaning until now DBKL has not received any instruction from the Minister.*

Datuk Siti Zainab binti Omar: *We do not know about that. As far as we know we have not been given any instructions to proceed or otherwise.*

Tuan Pengerusi: *Because they said that they cannot proceed because the Minister has not given them any instruction.*

Tuan Wong Kah Woh: *Of course as far as AGC is concerned, Shearn Delamore cannot proceed without the instruction from DBKL?*

Datuk Siti Zainab binti Omar: *Exactly.*

Tuan Wong Kah Woh: *You are not sure whether DBKL has instruction from Yang Berhormat Menteri or not, correct?*

Datuk Siti Zainab binti Omar: *Yes.*

Tuan Wong Kah Woh: *Okay.*

Tuan Wong Chen: *Are you aware whether these 20 cases had been settled? Do you know any status from this or is it just still pending?*

Datuk Siti Zainab binti Omar: *We are not aware Yang Berhormat.*

Tuan Wong Chen: *You have no information? So, you cannot confirm or not confirmed that out of these 20, some had been settled or not?*

Datuk Siti Zainab binti Omar: *We do not know of any settlement. We only know the legal position. The status of that is all the transaction has already been done even before this review.*

Tuan Pengerusi: *Yes.*

Datuk Siti Zainab binti Omar: *So, there was already sale and purchase agreements, all executed. So, the only issue is whether we want to revisit, we want to review or we want to recover back the lands. So, that is the issue. So, status quo remains as far as we are concerned.*

Tuan Wong Chen: *Is it possible for you to supply us a short written document on the status of all these cases? It is because what we want to do is we want to match this and probably call the Minister back again to explain of these 20 which has he settled because he did testify that he's settled a lot of the cases. I don't know about these 20 because we have no idea which 20 are involved.*

Datuk Siti Zainab binti Omar: *As far as we know, these 20 he has not touched, he has not done any negotiation...*

Puan Nurul Izzah binti Anwar: *Sorry, Chairwoman also Yang Berhormat Wong Chen. To be fair, the Minister did give us a list. If I'm not mistaken, he also stated the 20 was not settled as yet but the murky or the confusing part was the AGC punya feedback which led to today's proceeding.*

So, I think when Yang Berhormat Subang asked, it's really important because there will be sort of no detailed wise what can be done for all the different cases in term of the 20 land transactions. So, it would be very helpful.

Datuk Siti Zainab binti Omar: *I think the decision whether to proceed or otherwise to, will lie with the ministry and also DBKL. So, for us legal we cannot proceed to do anything until we receive those instructions.*

Like I told you, we do have the draft statement of claim that Shearn Delamore provided us. But of course, we still need to refine those and we need to verify whether— with all the documents from DBKL. So, if there is no instruction to proceed, we can't do anything on it.

Tuan Wong Chen: *Can I bring your back— sorry, Yang Berhormat Jasin you go first.*

Datuk Seri Haji Ahmad bin Hamzah [Jasin]: *Ya, Datuk. This is my first time because I was away masa first proceeding. I just want to ask you whether is it a requirement that we need to get the approval from the AG's Office on land transaction be it land sale or usaha sama or anything. Is it any requirement?*

Datuk Siti Zainab binti Omar: *No, it is not because it is actually the policy decision of the ministry. If we are in any committee, we only give advice and even those— the meeting which kita dijemput, we do give our advice during the meetings. We did not keep quiet. But some of the deals have already been made. For example, we said that you need to do a supplementary agreement whether your CSR is sufficient; it should be taken into account.*

So, perkara-perkara itu memang kita maklumkan dalam mesyuarat.

Datuk Seri Haji Ahmad bin Hamzah: *Dalam mesyuarat itu Datuk, your presence in fact now on request to sit for interest of the government, of course. But I do not know whether you take an initiative now to look into the interest of the government on all transactions especially pertaining to big amount of money.*

Datuk Siti Zainab binti Omar: *Yang Berhormat, kami mempunyai inisiatif yang membuat kami hadir sama tetapi seperti mana yang Yang Berhormat tahu kalau apa yang kami dapat itu mungkin hanya the brief background. Kalau mereka mahukan full detail opinion, we need to be given those documents. But we followed the proceedings and wherever we find in the proceeding that there are certain things we actually give advice on the spot.*

But we are not given the documents to look— because everything depends on facts. Jadi hanya— apa fakta yang dimaklumkan dalam mesyuarat itu sahaja yang kami dapat tahulah.

Tuan Wong Chen: *Datuk Siti, we started off with 97 cases. I know there were 64 which is what Yang Berhormat Lim Lip Eng complained about but the government— the Minister decided to expand to 97.*

Now, your testimony so far is regarding 20. On the 77-remaining once, did you ever had a look at any of these documents or anything related to 77 because what we understand in the testimony by the Minister, one of the cases involved RM60 million disparity between the valuation and an actual payout. But that was settled. That was one of 77. I mean that is a big one. Did you all look into that one in particular or did you look into any of the other 77 files. One thing is to pass that 20 to you and say look, get a legal opinion on it from Shearn Delamore but isn't there an

overriding duty to look the 77? How they narrowed it down, filtered it and gave you the remaining 20?

Datuk Siti Zainab binti Omar: Maaf Yang Berhormat because we have written a letter actually officially to the ministry to say that we are willing to look at whatever documents. But I believe what was given to us only that 20.

Tuan Wong Chen: Was there any explanation why the 77 were resolved without your opinion?

Datuk Siti Zainab binti Omar: No, as far as we know, it was just a policy decision taken by the ministry.

Datuk Haji Hasanuddin bin Mohd Yunus: Chairwoman.

Tuan Pengerusi: Yes.

Datuk Haji Hasanuddin bin Mohd Yunus: Saya hendak bertanya Kementerian Wilayah Persekutuan dia ada lawyer dia sendiri. Kemudian Dewan Bandaraya ada PUU. Okey. kemudian pada waktu yang sama Pejabat Peguam Negara telah mencadangkan untuk melantik satu peguam yang lain. Bererti status pejabat peguam adalah memantau, betul?

Sebagaimana yang saya tanya tadi bererti kementerian ketika itu dia tidak mesti melaporkan semua benda kepada pejabat peguam melainkan pejabat peguam datang untuk menyiasat kerana ada sesuatu yang tidak kena perjalanan itu.

Ia ada dua beza yang saya faham. Saya untuk memantau, satu lagi untuk menyiasat dan mengambil tindakan sekiranya tidak betul. So, keadaannya macam itu. Terima kasih, silakan.

Datuk Siti Zainab binti Omar: Boleh saya betulkan situ ya. Kami dapat memantau kerana kami ada *legal advisor* di situ yang memaklumkan. Kami tidak ada kuasa untuk pergi menyiasat. Jadi kami tidak boleh masuk.

Penyiasatan, sekiranya Yang Berhormat fikirkan itu adalah mengenai kes *criminal*, itu hanya boleh dilakukan oleh agensi penguatkuasaan. Jadi kami tidak ada kuasa untuk menyiasat atau meminta mereka memberi kepada kita apa-apa dokumen.

Akan tetapi kami ada, pada 21 November, Yang Berbahagia Tuan Peguam Negara ada menulis kepada Menteri Wilayah Persekutuan dan memaklumkan bahawa kami menerima senarai 20 yang dikenal pasti oleh Kementerian Wilayah Persekutuan untuk di-review, dikaji oleh Jabatan Peguam Negara kerana kes-kes itu juga telah dirujuk kepada MACC untuk penyiasatan.

Kami juga telah memaklumkan sebagai inisiatif sendiri bahawa Shearn Delamore also boleh memberi nasihat dan pegawai-pegawai Jabatan Peguam Negara akan berada bersama dengan peguam swasta.

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Kami juga telah mengambil maklum bahawa telah diadakan pada masa itu *renegotiation exercise* dengan 24 *companies* dalam tarikh-tarikh yang saya nyatakan tadi dan kita telah mengambil maklum bahawa perkara-perkara yang telah diambil tindakan oleh Kementerian Wilayah Persekutuan.

Jadi, kami telah menyatakan dalam surat kami bahawa walaupun keputusan telah diambil mengenai 24 *companies* tersebut, *further review* atau kajian lanjut boleh diambil melebihi 20 yang dirujuk kepada kami untuk kami meneliti. Jadi, kita juga telah menyatakan bahawa kita sedia bekerjasama memberi bantuan untuk mencapai satu *outcome on national interest*. Kami ada sebutkan.

Datuk Haji Hasanuddin bin Mohd Yunus: Soalan.

Tuan Pengerusi: Datuk, salinan surat itu bagi kepada sekretariat ya. Saya minta supaya diserahkan kepada sekretariat satu *copy*. Terima kasih.

Datuk Haji Hasanuddin bin Mohd Yunus: Soalan lanjutan saya, Datuk. Bererti status di sini adalah status memantau. Saya hendak *cluster*-kan benda ini. Adakah ini isu komunikasi di mana mereka tidak melaporkan apa yang diminta oleh AG untuk pemantauan ataupun sebenarnya ada suatu *hanky-panky* yang tidak kena mereka cuba sembunyikan? Saya hendak *cluster*-kan benda itu. Kalau tidak, kita PAC, saya lihat kita membuang masa pada benda yang sebenarnya bukan yang melibatkan prosedur yang perlu dikuti oleh kementerian dan juga DBKL.

Datuk Siti Zainab binti Omar: Yang Berhormat, dari segi struktur kerajaan, perkara-perkara polisi adalah di bawah Kementerian Wilayah Persekutuan. Terpulang kepada mereka untuk merujuk kepada Jabatan Peguam Negara sekiranya mereka memerlukan nasihat.

Dalam surat yang saya nyatakan tadi, kami atas inisiatif sendiri memaklumkan kami boleh dan sekiranya perlu diminta untuk mengkaji semula yang lain daripada 20, kami boleh dan sedia membantu. Akan tetapi yang hanya dirujuk kepada kami 20 dan kami ambil maklum telah ada *negotiation*. Ini adalah satu keputusan polisi kementerian. Kami tidak boleh buat melebihi daripada apa yang bidang kuasa...

Datuk Haji Hasanuddin bin Mohd Yunus: So, keputusan itu bukan satu kesalahan kementerian?

Datuk Siti Zainab binti Omar: Itu keputusan kementerian sendiri dari segi polisi dan teknikal.

Datuk Haji Hasanuddin bin Mohd Yunus: Jadi tidak ada menyalahi apa-apa?

Datuk Siti Zainab binti Omar: Tidak menyalahi apa-apa sebab tiada *obligation* untuk *refer to legal in law*. *It is up to them to refer*.

Tuan Wong Chen: *Basically...*

Puan Nurul Izzah binti Anwar: Saya hendak tambah sikit sahaja. Sorry, Yang Berhormat Subang. *It is quite an important issue, Chairwoman.*

The thing is this. Bila awal tadi Datuk Siti menyatakan antara sebab kenapa agensi masuk campur adalah ia mempunyai kepentingan awam. *So, for example, today we are just reading that Kampung Baru re-acquirement cost will be about RM10 billion.* Jadi bila kes satu demi satu yang melibatkan transaksi yang begitu besar, sudah tentulah saya rasa, walaupun *there is no legal obligation, I am happy that the AGC should actually provide some insight and some input.* Kalaupun satu dua kes pada saya ada kesan yang besar, *I would have to say sometimes we should look beyond not just about the legal requirement but how things can be done better especially with regards to public money and transactions that are billions in ringgit.*

Datuk Siti Zainab binti Omar: *I agree with you if the matter is referred to us. But— and we have our sounding board, our legal advisor. So, as you are aware earlier, I had already explained it was our legal advisor who has alerted us that these are the things that are going on. That is why that we actually went in. But there is so much that we can do if it is not referred. You know, if things are being done and they do not refer, we cannot put our name. But our legal advisor is there and that is why if there is any matter that is being referred to the legal advisor, she would be alerting us. And if it is on public interest, we come in from HQ to membantu.*

Tuan Wong Chen: *So, I just to summarize you position. You offered to help and the Minister decided not to take your help but to pass you only 20 files, not the 77 others. Is that right?*

Datuk Siti Zainab binti Omar: *We do not know what the decision was of the Minister. But in our letter, we had offered to help but only 20 that was referred to us.*

Tuan Wong Chen: *So, you have absolutely no information regarding the other 77 cases?*

Datuk Siti Zainab binti Omar: *The information we've got was that those cases have been settled, renegotiated or, you know, had been transferred. Maybe some of them are taking action in court and things like that. Very general on the status. That is all.*

Tuan Wong Chen: *Okay. So, is it your obligation to advise them on procedure at all regarding the 77 or you just wait for them to give you the green light to move?*

Datuk Siti Zainab binti Omar: *If we all understand, this is also under DBKL. DBKL also have their own legal advisors. So, there are two steps here for legal advice. One is at the ministerial level but it is also at the DBKL level. So, it is not for us— if things are not referred to us, things are not given to us, it is not for us to solicit and say please give us the documents. But they did for 20 cases. They did.*

Tuan Wong Chen: *Chairman, we have to probably call DBKL.*

Tuan Wong Hon Wai: *Chairman, I have a question.*

Tuan Pengerusi: *Yes, please.*

Tuan Wong Hon Wai: *There are Penasihat Undang-undang di Dewan Bandaraya Kuala Lumpur. There are Penasihat Undang-undang di Kementerian Wilayah Persekutuan, right? Also, of course, Attorney General, the AG Chambers. Bagaimana ketiga-tiga pihak ini, how do you define your work? Do you report to each other? I mean, dotted line, kena lapor berkala? How is the— because I came from the state of Penang, we have state legal advisor also.*

Datuk Siti Zainab binti Omar: *Yes.*

Tuan Wong Hon Wai: *Sometimes I wonder what kind of relationship between the state legal advisor and the AGC. But I was told the state legal advisor, he has to report to AGC. But I am not too sure about— can you explain to us Penasihat Undang-undang DBKL, Penasihat Undang-undang kementerian dan AGC? What is your— how was the reporting structure? Whether you report secara periodically? Do you have authority over DBKL or do have authority over Kementerian Wilayah Persekutuan in terms of legal adviser?*

Datuk Siti Zainab binti Omar: *Okey. Penasihat Undang-undang DBKL, they are employed by DBKL. They are separate legal entity. So, they are answerable to the Mayor, Datuk Bandar. Dia tidak report kepada kita.*

Penasihat undang-undang di kementerian, dia adalah pegawai Jabatan Peguam Negara yang di tempatkan di kementerian dan dia akan *report* kepada kita terutama— kalau dia boleh menangani masalah undang-undang itu, dia akan kendalikan. Akan tetapi dalam hal-hal yang dia mohon pandangan kedua ataupun hal-hal yang berkaitan kepentingan awam, dia perlu *report* kepada kami terutamanya apabila nasihat beliau diminta. Ini kerana *ultimately*, Peguam Negara bertanggungjawab memberi nasihat kepada semua menteri-menteri Kabinet. *But* Penasihat Undang-undang DBKL *is...*

Tuan Wong Hon Wai: *Penasihat Undang-undang DBKL kepada Penasihat Undang-undang Kementerian Wilayah Persekutuan ada...*

Datuk Siti Zainab binti Omar: *No. Tidak ada. Sebenarnya tiada. Di dalam kes ini, kami sebagai inisiatif sendiri kami panggil untuk diskus sama. Oleh sebab kami melihat ia berkepentingan awam, jadi itu sebab kami adakan mesyuarat. Malahan, saya sendiri telah menghubungi Datuk Bandar dan kata, “Can we sit down on the cases, on the transactions, so that we can see the way forward what we can help you”. So, in this case, it is mere assistance provided to us statutory body.*

Tuan Pengerusi: *Okay, when you offered to assist and you wanted to have meetings with the Mayor, did the meeting actually happen?*

Datuk Siti Zainab binti Omar: Yes.

Tuan Pengerusi: *If you can provide us when is it exactly, you know, because at least we can...*

Datuk Siti Zainab binti Omar: *In that meeting 30th October, is the first meeting we held on 30th October 2018, the Mayor sendiri tidak boleh hadir tetapi Pengarah Jabatan Undang-undangnya hadir. Masa itulah kami telah memaklumkan mengenai...*

Tuan Pengerusi: *Your concern.*

Datuk Siti Zainab binti Omar: *Concern and asked that we will be involved with the 20 transactions under the purview of MACC itu.*

Datuk Seri Haji Ahmad bin Haji Hamzah: Satu lagi itu. Soalan saya tadi, dalam apa juga *land transaction* sama ada penjualan, usaha sama, dia mesti mendapatkan kelulusan terakhir daripada Jabatan Peguam Negara, betul? Selain daripada— bukan sahaja kuasa Menteri tetapi kita kena melalui UKAS, lepas itu baru akhirnya Peguam Negara akan memberi kelulusan barulah *this transaction can be concluded. Is it so?*

■1100

Datuk Siti Zainab binti Omar: Datuk Seri, minta maaf sebab *I know you are talking about the LGM punya joint venture itu. There are two situations on – We know each other. We got this and we have been communicating.*

Proses penjualan tanah ini ada beberapa kaedah. Dalam kaedah di mana ada *join venture* yang melibatkan pertukaran tanah, selalunya ia akan dibawa kepada UKAS (Unit Kerjasama Awam Swasta). Apabila dibawa kepada Unit Kerjasama Awam Swasta, di situ-lah AG's Chambers menjadi ahli jawatankuasa. Bila ahli jawatankuasa itu, *we have a say. We are on the transaction although certain dealings are, you know – It is bersama.* Keputusan itu akan bersama antara kementerian-kementerian dan *all the stakeholders* yang kemudiannya akan dibawa kepada Kabinet untuk kelulusan. Jadi dalam hal itu, memang AG's Chambers akan meneliti, menyemak dan meluluskan perjanjian-perjanjian *joint venture* DBKL ataupun *land swap* yang dirujuk kepada UKAS.

Dalam hal ini Datuk Seri, *it is* penjualan terus. *[Disampuk] Direct, which is not within UKAS purview, not within AG's Chambers purview. So, it is a direct sale of land.* Jadi, kita tidak ada *that opportunity* untuk memberi pandangan bahawa *why did you take certain lower rate, you should go to JPPH and all our comments as we normally do. We didn't even look at or vet the agreement which would be vetted by the PUU DBKL sendiri. So, this is different scenario,* kaedah pelupusan yang berlainan daripada kaedah pelupusan yang dilakukan melalui UKAS sebagai *joint venture* DBKL ataupun *land swap*.

Tuan Wong Chen: *Chairman, just a quick observation and then a question to Datuk Siti. The first observation is, the 77 cases that have been settled or cannot be settled or land re-transacted, that is the one we should be really worried about. It is because these 20 are still outstanding and ongoing, there is no purpose for us to drill too much into these 20. That 77 that is settled, now this is my question to Datuk Siti, I know you are given a very short briefing like a KIV report on this kind of thing, right? Can you name possibly one, two or even five cases that you think you should have looked into from that 77 list? The obvious one is that RM60 million that the Minister testified. He didn't tell us the name of the developer or what it is the land involved. What he did tell us, one case, RM60 million underpaid and then they went and settled the matter. The settlement means possibly RM60 million was paid by DBKL. We are worried about this kind of transaction and this kind of settlement where it is quite obvious that something is wrong and the Minister tried to right that wrong. I am sure the wrong came from the previous government. In righting that wrong, did they break procedures? It is the proper way to do things? Do you have a list of deals or lands in that 77 list that raises some area of concern that we should look into?*

Tuan Pengerusi: *Are you aware of the, I mean the 77 lands that Yang Berhormat mentioned?*

Datuk Siti Zainab binti Omar: *Ya, Yang Berhormat. I am just checking with my officers. Kita tidak ada detail because when we come on board, we were told there is this transaction, this transaction, this transaction. So, details tidak ada. But like the cases that you mentioned just now about ini, it is one of the 20 you know. Where one of the 20 that is one case, I remembered very clearly where Jabatan Penilaian dan Perkhidmatan Harta actually nilai the RM78 million, but it was sold at RM19 million. The reason kononnya given because it is a swampy area, but that is one that raised our flag. But out of the 77 itu, kita tidak ada maklumat detail for each. It is because when we came in like I told you, some are already negotiated and what not.*

Tuan Pengerusi: *Yang Berhormat, because I think when Datuk mentioned when you asked, you mentioned that you're given a task on the 20. Is that correct?*

Datuk Siti Zainab binti Omar: *Yes.*

Tuan Pengerusi: *Okay because she was tasked to focus on the 20 because the AG's office did not have any power to look at the rest unless you were instructed to.*

Datuk Siti Zainab binti Omar: *Yes and we have in that letter which we told you. We actually asked give us that 24, we will...*

Tuan Pengerusi: *But, you will give a copy of that letter as well right? So that, we can put in as additional punya info that we need.*

Datuk Siti Zainab binti Omar: *But, just...*

[Ahli-ahli berbincang sesama sendiri]

Tuan Wong Chen: *Chairman, let me just put this on record and it might be useful for Datuk Siti also. We started by saying that the 20 cases haven't been settled. When the Minister testified, he very explicitly stated he settled one of the cases involving RM60 million differential. Mr Johan here, the secretariat confirmed that, that was a settlement of RM60 million because it is part of the 20. Part of the 20.*

[Ahli-ahli berbincang sesama sendiri]

Tuan Wong Chen: *Menteri punya statement. He said, betul.*

Datuk Siti Zainab binti Omar: *What we know and what is written in the letter, the 20 itu is not settled, yang settled itu is about 24. There were 24 that were settled. So, that was the one that we wrote and said that if you want us to review, we can still review. Akan tetapi...*

[Ahli-ahli berbincang sesama sendiri]

Tuan Wong Chen: *Okay. From that 20, the list of 20, Datuk, if you can tell us and identify which one that you said was a RM60 million differential? Just give a name or a lot number or developer name or something.*

[Ahli-ahli berbincang sesama sendiri]

Datuk Siti Zainab binti Omar: *Yang 24...*

Puan Nurul Izzah binti Anwar: *Okay, if I refer back from my memory, the last time the Minister came, he did link or he did clarify the 20 transactions that were still under investigations is as the ones mentioned by the wakil Peguam Negara, Datuk Siti. So, I feel that is quite clear. So maybe the RM60 million, if we can refer to it properly, mungkin termasuk daripada transaksi yang sudah tidak mengelirukan ataupun tidak disiasat.*

Tuan Wong Kah Woh: *Yang Berhormat Subang, there is one stat dalam Lampiran 3, ringkasan hasil rundingan 15 transaksi tanah DBKL yang mana nombor dua, Utara Land Sdn. Bhd. di Kepong, pulangan tambahan selepas rundingan RM69.9 million. So, is it this one that you are talking about?*

[Ahli-ahli berbincang sesama sendiri]

■1110

Tuan Wong Kah Woh: *Tuan Pengerusi...*

Tuan Pengerusi: *Yes, please.*

Tuan Wong Kah Woh: *...If I may put things right on the track ya, yang disyorkan untuk siasatan 20 transaksi...*

Datuk Siti Zainab binti Omar: *Ya.*

Tuan Wong Kah Woh: ...So is this stat. So, is that 20 transactions that you have been mentioning since early?

Puan Nurul Izzah binti Anwar: The same, right?

Tuan Wong Kah Woh: The same-lah.

Datuk Siti Zainab binti Omar: Lampiran...

Tuan Wong Kah Woh: Lampiran 4.

Datuk Siti Zainab binti Omar: Yes.

Tuan Wong Kah Woh: Okey, so ini memang setakat masa ini tidak ada *settlement*?

Datuk Siti Zainab binti Omar: Tidak ada.

Datuk Haji Hasanuddin bin Mohd Yunus: Siasatan lanjut.

Tuan Wong Kah Woh: Ya.

Puan Nurul Izzah binti Anwar:informed. It was in a waiting instruction.

Datuk Siti Zainab binti Omar: Ya.

Tuan Wong Kah Woh: Okey, you were not informed but I think the PAC can also confirm from the last proceeding there, they are still under siasatan by them.

Datuk Siti Zainab binti Omar: Okey.

Tuan Wong Kah Woh: So, nothing...

Datuk Haji Hasanuddin bin Mohd Yunus: Siasatan lanjut.

Tuan Wong Kah Woh:

Tuan Pengerusi: Ya.

Puan Nurul Izzah binti Anwar: Ya.

Tuan Wong Chen: Okey, ya...

Puan Nurul Izzah binti Anwar: To be fair, I think the fact of the matter is, investigation, you know, due diligence has been done by the firm at the recommendation of the AG Chambers. So, it's good also to realize the detail for the 20. You know, time and tide wait for no man, so we need to also at least be part of this decision-lah.

Tuan Wong Chen: Your, first Chairman— first thanks to the Deputy for sorting out this issue. Lampiran 3 is the one that we're really looking at but I don't think you have Lampiran 3 lah. Ada?

Datuk Siti Zainab binti Omar: We have..... it lah.

Tuan Wong Chen: Okey, so if you look at it Lampiran 3...

Datuk Siti Zainab binti Omar: We equip ourselves and come here. [Ketawa]

Tuan Wong Chen: Ya. If you read Lampiran 3, dia ada 15 transaksi yang telah di-settle, right? You follow me?

Datuk Siti Zainab binti Omar: Yes.

Tuan Wong Chen: So, you see number one Mega Legacy...

Datuk Siti Zainab binti Omar: Yes.

Tuan Wong Chen: ...*There's RM30.6 billion differentials. You see on the far right? Is that? Pulangan tambahan selepas rundingan.*

Datuk Siti Zainab binti Omar: Yes.

Tuan Wong Chen: Ya. *Then the next one is that RM69 million-lah, that's the big one-lah, right then 16.31. I think this first four are problematic. For us, we are interested in seeing was these four settlements done with legal procedure with consultation of the AG Office and also MACC lah, right? I think these four is the one. The other 20 is ongoing, that's fine, we are not going to make any conclusion because it is not concluded. I think these four that was concluded with these high numbers on your far right, should be concern of you, I mean your public concern-lah. The big four lah, big four lah.*

Tuan Pengerusi: *Do you have any explanation on this or do you want to make any comment on this matter Datuk?*

Datuk Siti Zainab binti Omar: Tuan Pengerusi, *I think our position is that, kalau diarahkan dari mana-mana pihak kita sedia membantu and we will look at the case and review. Akan tetapi kita tahu juga bahawa perkara ini telah dirundingkan. Jadi you know that can jeopardize whatever action that we want to take as well. So, we don't know how far persetujuan telah dicapai mengenai harga tambahan itu. You see, so I think legally you know the position. We are ready if you ask, any directed, by any agency to look at the case and given the document we can assist, but I just want to highlight that if this is already negotiated.*

When you negotiate you need— in fact in one of our meetings we even highlight if you want negotiate can you please do it without prejudice. But it wasn't done, you see.

Tuan Wong Kah Woh: *No, they already come to the conclusion for the... [Bercakap tanpa menggunakan pembesar suara]*

Datuk Siti Zainab binti Omar: Yes. *You see when they came to a conclusion even when we were there we have actually raised, we said that if you want to take lesser amount even though sudah naikkan daripada harga yang dulu diterima tetapi masih lagi below penilaian JPPH, kita sudah kata please Minister, please find real justification why do you do that. That we have raised.*

Second, we said can you do it without prejudice in your negotiations and we have also raised. I think some of the negotiations include element of CSR. When it was reported back, we said we don't think CSR is part of a renegotiated purchase price.

Tuan Wong Chen: You are right.

Datuk Siti Zainab binti Omar: *We don't know what is that CSR and you know when you talk about...*

Tuan Pengerusi: *You mention— sorry Datuk. Was it mention to you what kind of CSR, what being talking about?*

Datuk Siti Zainab binti Omar: *No, we don't know but we have been informed that is part of the negotiations. So, all these even though we were not given, we have raised it in during meeting.*

Puan Nurul Izzah binti Anwar: *Well, I just want to highlight one more think Chairperson because when the Minister was presenting to us, he did say he was also trying to fight the clock because you're dealing with so many transactions and therefore his focus was to make sure whatever could be settle, could be settle speedily because it would incur more cost on DBKL and the big ballpark figure was half of million ringgit was safe.*

So, you know I have to say that, so meaning if you proceed with this without prejudice, no— sometime I also write to people. Will it— what the risk face by DBKL in terms of timing because the claim that was use was or the justification was the company were ready, developer were ready to sue, untuk saman DBKL. Jadi mereka tidak ada peluang lagi hendak tunggu, hendak bincang, hendak tolak contohnya CSR. Just want to ask your point of view.

Datuk Siti Zainab binti Omar: *That is the policy call. This is where we said, it's policy call of the ministry. They have to weigh this whether you want to proceed or just wait for them to sue and you know taking into an account. Like you said they are probably hard press with so many transactions and they are already suits being file as well.*

Tuan Wong Chen: *That 20 transactions, let's be very clear. I know you can say anything, right? But the 20 transactions are being referred to you, that's fine. But the other list on Lampiran 3, there are only four. It's not 28 or 100 transactions where contentious. It's only four which is substantially big amount of money, RM16 million, RM69 million, RM31 million and so forth. So, you know, I understand that you want to settle matters as fast as possible but I find it quite strange that people that underpaid DBKL is not threatening to sue DBKL on four cases, right? As what you can see. This is not 100,000 settlers asking for money, you know. This is four cases. So, I am very concerned about the way we dealt with these four cases which did not refer to AG Chambers for any real consultation and that they took it out, settled it on your own and then passed you the remaining 22 to resolve.*

Let me ask another question. Now, when they settled these four cases, what are the legal implication in terms of SPRM's work? Do you know? Do you have a comment to make?

Datuk Siti Zainab binti Omar: *As far as legal position is concerned, criminal case there's no bar, right? So whatever dealings that is done, settlement or what not is no barred to any criminal action. So, if SPRM finds there are criminal elements involved, they can always go in. There is no time period, it doesn't matter that have been solved because, the element, those are dealings, civil dealings, you know. Just between two purchaser and vendor, you know, but for SPRM they are looking at other things, are there element, of corruptions and all that. So, they are quite a separate issue to be tackled and it can still go in if they do find in these four cases.*

Tuan Wong Chen: *But surely if you settled, you are sort of giving recognition that you know that we are trying to legalize at least on the civil level in this arrangement, right? I mean this is wrong. The RM69 million is a big wrong, you know. So, when we settled on the civil matter, the government was sending the message that things can be corrected and that would have a mitigating impact on the criminal element or criminal cases. Surely complicates the position of government. You cannot on one hand settle civilly and then say that I am going to charge you criminally. There's no consistency. I mean what kind of policy is this, I mean you know in your opinion.*

Datuk Siti Zainab binti Omar: *That's your opinion. Like I say, to us, you know with the system that we have now, criminal is a different element looking at. You know you can still go on how it was first awarded in the first place, so you know.*

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I mean, basically, that is the angle of the 20 cases we are looking at. It is from whether there was undue influence, whether there was interference, in all tortious action. So, those things, if there is any element of abuse of power or what not within the MACC realm, it can still be done. The settlement is on civil matter, a policy called by the government. How it complicates, we are not able to tell until it actually goes to court, you know.

Tuan Pengerusi: *Because we have KP of SPRM after this, probably we can ask him the same question. Okay, please.*

Datuk Haji Hasanuddin bin Mohd Yunus: *Chairman, kalau kita tengok, jawatankuasa JTTM DBKL ini ditubuhkan ialah untuk menyelesaikan isu yang telah terlajak pada zaman yang dikatakan sedang dilakukan. Dia bukan fresh punya jual beli. Jadi, sebab itu kalau kita tengok kategori transaksi ini, ada yang diteruskan, dibatalkan, dirunding semula, rundingan di luar mahkamah dan siasatan lanjut. So, untuk menyelamatkan tanah itu, apa yang saya faham, CSR itu bukan sebahagian daripada harga tetapi dalam proses untuk menyelamatkan benda yang telah berlaku urusan itu.*

Jadi, maknanya kalau kita hendak *specific*-kan, wajar untuk Datuk sebutkan kes yang mana yang telah menggunakan CSR sebagai sebahagian daripada harga. Akan tetapi, keseluruhannya apa yang telah dilaporkan kepada kami, memang betul dia sebut CSR tetapi bukan harga tetapi jalan keluar daripada kategori transaksi yang telah berlaku itu. Apa pandangan Datuk?

Datuk Siti Zainab binti Omar: Yang Berhormat, saya tidak dapat komen. Sebab apa, kami tidak ada— kami hanya dimaklumkan secara am bahawa bagaimana perkara-perkara ini telah dirunding dan diselesaikan. Salah satu caranya adalah melalui perolehan CSR. Jadi, kami hanya dapat bagi komen CSR secara am lah bahawa ia tidak sepatutnya dijadikan sebagai harga perolehan. Akan tetapi, apa elemen-elemen dan projek mana, itu kami tidak ada butir-butirnya. Jadi, kami punya *advice* ini secara am sahaja.

Tuan Wong Kah Woh: Tuan Pengerusi, saya cuma hendak *conclude the whole thing* untuk mendapatkan sedikit pengesahan. Kes yang dibawa ke hadapan PAC ini, Datuk Siti, adalah sejumlah 97 transaksi. Daripada 97 itu, ada 20 di bawah Lampiran 4 yang mana telah disahkan tadi 20 ini adalah dalam siasatan *and actually was referred to AGC*.

Saya hendak tanya ini yang *balance 77* transaksi itu, sama ada *all these 77 had been brought to your attention or no?*

Datuk Siti Zainab binti Omar: *No.*

Tuan Wong Kah Woh: *Some* daripada 77 transaksi itu. Langsung tiada?

Datuk Siti Zainab binti Omar: Tiada.

Tuan Wong Kah Woh: Langsung tiada. Okey, *I have got confirmation. Number two*, tadi Datuk Zainab ada menyatakan berkenaan dengan nasihat daripada AGC kepada DBKL sekiranya mereka mengendalikan apa-apa perbincangan *have to do it without prejudice basis. So, this one I understand. So, your nasihat is actually on that 20 transactions or other transactions?*

Datuk Siti Zainab binti Omar: *When we were— remember, when we told you that we were present during the meetings, so those are one of the advice that we gave. It is a general...*

Tuan Wong Kah Woh: *Okay, general advice.*

Datuk Siti Zainab binti Omar: *General advice.*

Tuan Wong Kah Woh: *Not specifically on those like urusan tanah telah pun diteruskan after rundingan?*

Datuk Siti Zainab binti Omar: *Nope.*

Tuan Wong Kah Woh: *Not specifically on any other cases?*

Datuk Siti Zainab binti Omar: *It is just a general advise that when you do this negotiation, please do it in it.*

Tuan Wong Kah Woh: *Okey, basically when the minister or DBKL entered into the negotiation for these 77 pieces of land, are transaction, then never referred to you?*

Datuk Siti Zainab binti Omar: *Not as much.*

Tuan Wong Kah Woh: *Okay, thanks.*

Tuan Pengerusi: *Okay, anyone else? Okay, if not, terima kasih.*

Datuk Haji Hasanuddin bin Mohd Yunus: Cuma ringkas sahaja. Saya tertarik bila seolah-olah Pejabat AG merasakan perlu penglibatan mereka. Adakah perlu untuk kita mencadangkan nanti supaya kita pinda akta yang berkaitan? Kalau tadi tentang transit tanah yang melibatkan *swap* dan sebahagiannya itu, itu masuk bawah UKAS. Akan tetapi, kalau hendak mencadangkan— saya rasa memang menjadi tanggungjawab PAC— kalau memang perlu selepas daripada transit tanah mesti mendapat Pejabat AG punya itu, kita pindalah akta itu, kan? Akan tetapi, buat masa ini, oleh sebab belum ada akta lagi, PAC tidak merasakan suatu curigalah. Kecuali kalau betul dibuktikan secara fokus, bukan cara umum, saya rasa itu perkara yang lainlah.

Akan tetapi, saya sangat menyokong kalau katakan perlu untuk mencadangkan kita pinda suatu akta yang terkait dengan perkara ini.

Datuk Siti Zainab binti Omar: PAC boleh mencadangkan tetapi perlu faham bahawa DBKL adalah satu badan korporat yang lain. Ia badan berkanun. Jadi, dia tertakluk. Selalunya perkara itu di-*refer* kepada Menteri. Jadi, tiada kata terus kepada Peguam Negara. Kita *advise* Menteri *and it is up to* Menteri *and the* kementerian *to get our advice because we are advisors to the government and the* Menteri.

Tuan Pengerusi: Okey, terima kasih banyak, Datuk. Terima kasih banyak. *Really appreciate* dan sangat membantu. Jadi, itu sahajalah prosiding kita pada hari ini. Terima kasih.

Datuk Siti Zainab binti Omar: *Thank you.*

[Mesyuarat ditangguhkan pada pukul 11.27 pagi]